



DISABILITY AND COMMUNICATION ACCESS BOARD

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INTERPRETIVE OPINION

Pursuant to §103-50, Hawaii Revised Statutes (HRS), all buildings and facilities constructed by, or on behalf of the State or any county, shall conform to the Americans with Disabilities Act Accessibility Guidelines (ADAAG) and amendments. In accordance to HRS §103-50 and Chapter 11-217, Hawaii Administrative Rules, the Disability and Communication Access Board has authority to issue interpretive opinions to HRS §103-50 design standards.

Docket: **DCAB 2008-01:** Can a 1-1/2" gap be provided between the 36" by 36" shower stall and the 36" by 48" clear floor space (transfer area) fronting the transfer-type shower stall in order to keep soapy rinse water from ponding in the transfer area and creating a potentially unsafe condition?

Summary: The ADAAG guidelines for new construction are very specific. Section 4.21.3 states that the shower seat in transfer type showers shall extend the full depth of the stall. The ADAAG figure 35(a), referenced in section 4.21.2, depicts the clear floor space immediately adjacent to the shower stall. Transfer showers are allowed a ½ inch maximum height curb. These requirements do not take into account the location of a shower curtain or that water running off the curtain may not be contained within the shower if the seat extends the full depth of the shower. While one solution for containing water is to provide a trench drain, in some alterations, a trench drain is not feasible.

This interpretive opinion is only allowed in an alteration, not for new construction. The phrase "in pre-existing conditions" limits the use of this interpretive opinion to those situations in which an existing shower is being replaced or altered in kind, in its original location. This interpretive opinion does not apply to those situations in which the shower is being relocated or when a shower is being added where one did not previously exist.

Ruling: For buildings or facilities subject to HRS §103-50,

ADAAG Section 4.21.2 Size and Clearance.

In pre-existing conditions, a 1-1/2" gap can be provided between the 36" by 36" shower stall and the 36" by 48" clear floor space (transfer area) fronting the transfer-type shower stall in order to keep soapy rinse water from ponding in the transfer area and creating a potentially unsafe condition in alterations only.

[Rul:01/16/08] Imp: HRS §103-50)

If you have any questions or comments regarding this ruling, please call us at 586-8121.

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